

Remarks

The Applicants have amended Claim 47 to include the subject matter of Claim 50. Claim 50 has accordingly been cancelled.

The Applicants have also amended Claims 51-57 and 92 to account for the cancellation of Claim 50.

Claim 47 has further been amended to change “reconstructing the modified stream” to “constructing a reconstructed stream from the modified stream” for clarification purposes. Entry of the above amendments and cancellation of Claim 50 into the official file is respectfully requested.

The Applicants acknowledge the provisional obviousness type double-patenting rejection of Claims 41, 48, 91 and 92 over Claims 1, 2, 20 and 21 of co-pending Application No. 11/091,217. The Applicants respectfully request that further treatment of this rejection be held in abeyance pending allowance of the remaining claims since the rejection is merely provisional.

Claims 47-49, 58-72, 79-83 and 87-91 stand rejected under 35 USC §102 as being anticipated by LeBourgeois. The Applicants respectfully submit that this rejection is now moot in view of the incorporation of the subject matter of Claim 50 into independent Claim 47. Withdrawal of the rejection is respectfully requested.

Claims 50-57, 73-78 and 92 stand rejected under 35 USC §103 over the hypothetical combination of Chebil with LeBourgeois. The Applicants note with appreciation the Examiner’s helpful comments hypothetically applying the combination to those claims. The Applicants note that the rejection is moot with respect to Claim 50 in view of its cancellation. The Applicants will, however, address the rejection as it now would hypothetically apply to independent Claim 47. The Applicants nonetheless respectfully submit that the combination is indeed inapplicable to Claims 47,

51-57, 73-78 and 92. Reasons are set forth below.

The Applicants note with appreciation the Examiner's frank acknowledgement that LeBourgeois does not disclose that an original stream is coded in accordance with a process for coding in wavelets. The Applicants fully agree. LeBourgeois discloses a method for securely distributing digital products comprising encrypting digital products as seen on page 10 at lines 12-13 and modifying the encrypted digital product by extracting parts of the encrypted digital product, also as described on page 10 at lines 13 and 14 as well as page 15, lines 14-15. Thus, LeBourgeois does not disclose an original stream in a nominal compressed format based on wavelets and comprising wavelet coefficients, and modifying the original stream by modifying the wavelet coefficients.

In sharp contrast, in LeBourgeois the modification applies to encrypted streams and not to the wavelet coefficients of the nominal compressed streams based on a wavelet. As a result, the Applicants' claimed modified stream can be previewed in a degraded quality by users that don't have the right to consume the original content, thereby prompting them to purchase the content that can be viewed in a non-degraded quality. This is an important difference over LeBourgeois.

However, in view of the failure of LeBourgeois to disclose coding the original stream in wavelets, the rejection turns to Chebil which discloses coding and decoding images using compression techniques based on wavelets. However, there is a problem with the combination. That is because, if one skilled in the art were to look to both LeBourgeois and Chebil, one skilled in the art would at best attempt to apply the protection disclosed by LeBourgeois on compressed images based on the teachings of Chebil by compressing the images according to Chebil and encrypting the compressed images and extracting the security fragments according to LeBourgeois. The problem is that such attempts would still be different from what the Applicants claim. In particular, one skilled in the art would not modify the wavelet coefficients as recited in Claim 47. Thus, the Applicants

respectfully submit that the hypothetical combination of Chebil with LeBourgeois would not result in the claimed aspect of modifying the original stream by modifying wavelet coefficients to produce a stream modified in the same nominal format as the original stream.

The result of the combination of Chebil with LeBourgeois would not result in the Applicants' more user-friendly approach that provides a protection system for images where the protected images can be previewed in a degraded form. At best, one skilled in the art would hypothetically apply the protection process disclosed by LeBourgeois on at least one of the image layers that is compressed as taught by Chebil. However, this is still different from modifying the wavelet coefficients as recited in Claim 47. This is because neither LeBourgeois nor Chebil discloses this particular recited subject matter. Thus, even if one skilled in the art were to hypothetically combine Chebil with LeBourgeois, the result would be a different process. In light of the foregoing, the Applicants respectfully submit that the hypothetical combination of Chebil with LeBourgeois is inapplicable to Claims 47, 51-57, 73-78 and 92. Withdrawal of the rejection is respectfully requested.

Claims 84-86 stand rejected under 35 USC §103 over the hypothetical combination of "official notice" with LeBourgeois. The Applicants respectfully submit that the combination of "official notice" with LeBourgeois does not cure the deficiencies set forth above with respect to LeBourgeois and as discussed in conjunction with Claim 47. Therefore, the Applicants respectfully submit that this combination is inapplicable to Claims 84-86. Withdrawal of the rejection is respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire Application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



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